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CAPITAL PUNISHMENT

Information from Governments compiled by the United Nations Secretariat

Addendum

INFORMATION RECEIVED FROM GOVERNMENTS

Bahrain

[Original: English]
[14 September 1972]

The Bahrain Penal Code of 1955 provides for the application of capital punishment in the following cases:

1. Premeditated murder;

2. Treason;

3. Piracy;

4. Military action against the Head of the State or his Government.

However, the above law provides for the substitution of capital punishment by life imprisonment in the following cases:

(a) Where the person convicted of the capital punishment is less than 18 years old;

(b) Where the person convicted of the capital punishment is a pregnant woman.

Moreover, in all cases capital punishment cannot be executed without first obtaining the assent of the Head of the State on the said conviction.

While the Bahraini legislative authorities have not yet debated the question of the possibility of abolishing capital punishment, they would, however, give a greater thought and consideration, in the future, to the recommendation provided in paragraph 3 of the above-mentioned resolution [General Assembly resolution 2857 (XXVI)], which provides for restricting "the number of offences for which punishment may be imposed".

Honduras

/Original: Spanish/
/24 October 1972/

La República de Honduras, fiel intérprete de la Declaración Universal de los Derechos Humanos, garantiza la inviolabilidad de la vida, sin que por ninguna autoridad pueda establecerse ni aplicarse la pena de muerte. El derecho de defensa es inviolable, y todo ciudadano tiene las garantías establecidas por la Carta Magna, de interponer todos los recursos estipulados por la ley. Toda persona acusada de delito tiene derecho a que no se prejuzgue su responsabilidad, considerándose como inocente mientras no se pruebe lo contrario. Ninguna persona puede ser presa o detenida sino en los lugares que determina la ley; y se prohibe absolutamente la fustigación y toda clase de tormentos.

Malawi

/Original: English/
/9 November 1972/
/Additional reply/

The Malawi Government has studied resolution 1574 (L), adopted by the Economic and Social Council at its fiftieth session, and clarifies its position as follows:

(a) The continued retention of the death penalty is considered by the Government of Malawi as necessary for the proper maintenance of law and order in Malawi and, in particular, for the deterrence of those who might otherwise commit the very serious crimes which still attract that punishment;

(b) The Government of Malawi has, at present, no plans for either the total abolition of the death penalty or for future restriction upon its use;

(c) There have been no changes in this respect since 1965.

Malta

/Original: English/
/8 November 1971/
/Second additional reply/

The Bill to abolish capital punishment, to which reference was made in the Note of 16 September 1971 /from the Permanent Mission of Malta to the United

Nations/, has since been passed by the Parliament of Malta with significant amendments. The amendments in question withdrew the exceptions mentioned in the Note of 16 September 1971 and the Act now provides for the abolition of the death penalty and its complete erasure from the Criminal Code. The death penalty is now only retained in the Malta Armed Forces Act, 1970, and is applicable only to persons subject to military law for offences involving aid to the enemy.